

260.990 Penalties.

- (1) Any person who violates a stop order in violation of KRS 260.550(2) shall be fined one hundred dollars (\$100) for the first offense, be fined two hundred fifty dollars (\$250) for the second offense, and have his or her license revoked or suspended or, if the person has no license, be fined one thousand dollars (\$1,000) for each subsequent offense.
- (2) Any person who violates a withdraw from sale order in violation of KRS 260.550(3) shall be guilty of a Class B misdemeanor.
- (3) Any person who violates KRS 260.600(4), involving an untimely payment of an assessment fee, shall be charged a penalty of ten percent (10%) of the original amount and shall be required to pay this penalty in addition to the original assessment fee. The original assessment fee and penalties shall be compounded by ten percent (10%) monthly until paid in full. Any assessment fee and penalties remaining unpaid for three (3) successive months shall result in a license revocation.
- (4) Any person who fails to comply with KRS 260.610(4) shall be in violation of the egg marketing law and shall be subject to license suspension or revocation. In the event of a suspension or revocation, a stop order shall be issued prohibiting the sale of the product. In the event that the original producer or plant is not required to be licensed because of having no direct distribution in the state and the product is distributed through other distribution channels, the producer or plant shall have its product placed under stop order and returned to the distributor. Further distribution in the state shall be prohibited until the department receives an emergency recall plan from the original producer or plant.
- (5) Any person who violates any of the shell egg labeling requirements set out in KRS 260.630 more than three (3) times within a calendar year shall have his license revoked. During the revocation period, the person whose license has been revoked shall not sell, trade, traffic, or distribute eggs within the Commonwealth. A new application for consideration of reinstatement of an egg license may be submitted to the board for approval during the usual license renewal period.

Effective: July 12, 2006

History: Amended 2006 Ky. Acts ch. 35, sec. 2, effective July 12, 2006; and ch. 215, sec. 3, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 40, sec. 6, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 208, sec. 8, effective July 15, 1998. -- Amended 1962 Ky. Acts ch. 210, sec. 42. -- Amended 1960 Ky. Acts ch. 120, sec. 17. -- Amended 1956 Ky. Acts ch. 121, sec. 12; and ch. 128, sec. 15. -- Amended 1954 Ky. Acts ch. 129, sec. 11. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. secs. 42c-3e, 1905a-27, 1905a-55.

Legislative Research Commission Note (7/12/2006). This section was amended by 2006 Ky. Acts chs. 35 and 215, which do not appear to be in conflict and have been codified together.